PART IV—SECTION 1-C

GENERAL STATUTORY RULES AND STATUTORY ORDERS ISSUED BY THE CENTRAL GOVERNMENT AND ORDERS MADE BY THE PRESIDENT AND REPUBLISHED BY THE STATE GOVERNMENT.

HOME SECRETARIAT

Notification No. HD 306 SWM 75. (1)

Bangalore, dated 22nd/27th January 1976.

Ordered that the accompanying Notification No. GSR 552 (E), dated 7th November 1975, No. GSR 557 (E), dated 12th November 1975 and No GSR 558 (E), dated 14th November 1975 published in the Gazette of India Extra-ordinary Part II-Section 3-sub section (i) dated 7th November 1975, 12th November 1975 and 14th November 1975 be published in the *Karnataka Gazette* for general information.

By Order and in the name of the Governor of Karnataka,

K. S. RAJAGOPAL,
Under Secretary to Government,
Home Department (Spl.)

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, dated the 7th November 1975.

G. S. R. 552 F) In exercise of the powers conferred by section 3 of the Defence and Internal Security of India Act, 1971 (42 of 1971), and of all other powers enabling the Central Government in this behalf, the Central Government hereby makes the following rules further to amend the Defence and Internal Security of India Rules, 1971, namely :—

1. **Short title and commencement.**—(1) These rules may be called the Defence and Internal Security of India (Fifth Amendment) Rules, 1975.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Amendment of rule 37 of the Defence and Internal Security of India Rules, 1971.**— In rule 37 of the Defence and Internal Security of India Rules, 1971, after sub-rule (4), the following sub-rule shall be inserted, namely :—

"(5) Where any person is prosecuted for the contravention of any provision of clause (b), clause (c), clause (d) or clause (e), of sub-rule (1) and it is proved that he was present in, or in the neighbourhood of, any such building, place or property as is mentioned in such clause and was in possession of any instrument, implement or other material capable of doing any act which is likely to impair the efficiency or impede the working of, or cause damage to, such building, place or property it shall be presumed, for the purposes of the said sub-rule (1), that he was so present with the intention of contravening the provisions of the clause aforesaid and the burden of proving that he had no such intention shall be on him.".

(No. F. II/17016/1/74-S and P (D. II)

C. V. NARASIMHAN,
Joint Secretary

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, dated the 12th November 1975

G.S.R. 557 (E).—In exercise of the powers conferred by Section 3 of the Defence and Internal Security of India Act, 1971 (42 of 1971) and of all other powers enabling the Central Government in this behalf the Central Government hereby makes the following rules further to amend the Defence and Internal Security of India Rules, 1971, namely :—

1. **Short title and commencement.**—(1) These rules may be called the Defence and Internal Security of India (Sixth Amendment Rules, 1975.

(2) They shall come into force on the date of their publication in the Official Gazette

Amendment of rule 33.—In rule 33 of the Defence and Internal Security of India Rules, 1971 in sub-rule (4) after the proviso the following further proviso shall be inserted, namely:—

"Provided further that the power exercisable by the State Government under sub-section (1) of the said section 17A as so applied shall be exercisable also—

(a) by the District Magistrate; or

(b) in any area for which a Commissioner of Police has been appointed, by the Commissioner of Police,".

(No. II/16012/8/75-S and P (D. II)

C. V. NARASIMHAN
Joint Secretary

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

ORDER

New Delhi, the 14th November 1975

G.S.R. 558(E).—In exercise of the powers conferred by clause(1) of article 359 of the Constitution, the President hereby declares that the right of any person (including a foreigner) to move any court for the enforcement of the rights conferred by clause 1) of article 20 and article 31 of the Constitution, in so far as they relate to any proceedings, declarations or orders or other action or thing taken, made, or done, or purporting to have been taken, made or done, under the Smugglers and Foreign Exchange Manipulators (Foofeiture of Property) Ordinance, 1975 (No. 20 of 1975) shall remain suspended for the period during which the Proclamations of Emergency made under clause (1) of Article 352 of the Constitution on the 3rd December, 1971 and on the 25th June 1975, are both in force.

2. This order shall extend to the whole of the territory of India except the State of Jammu and Kashmir

(No. II/16011/89/75-S and P (D.II)

S. L. KHURANA,
Secretary